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U.S. BKCY. APP. PANEL  
OF THE NINTH CIRCUITUNITED STATES BANKRUPTCY APPELLATE PANEL  
U.S. BANKRUPTCY CLERK  
MARY A. SCHOTT, CLERK  
OF THE NINTH CIRCUIT

6 In re:	) BAP No. NV-07-1067-RBS
7 USA COMMERCIAL MORTGAGE COMPANY )	Bk Nos. 06-10725 LBR
8 USA CAPITAL REALTY ADVISORS, LLC; ) 06-10726 LBR	
9 USA CAPITAL DIVERSIFIED TRUST DEED ) 06-10727 LBR	
FUND, LLC; USA CAPITAL FIRST TRUST ) 06-10728 LBR	
DEED FUND, LLC; USA SECURITIES, ) 06-10729 LBR	
LLC,	)
10 ) Ref. No. 07-06	
11 Debtors. )	)
12 MARGARET B. McGIMSEY TRUST; BRUCE )	)
13 McGIMSEY; JERRY McGIMSEY; SHARON )	)
McGIMSEY; JOHNNY CLARK, )	)
14 Appellants, )	)
15 v. ) CLERK'S NOTICE	
16 USA CAPITAL DIVERSIFIED TRUST DEED )	)
17 FUND, LLC; OFFICIAL COMMITTEE OF )	)
EQUITY SECURITY HOLDERS OF USA )	)
18 CAPITAL DIVERSIFIED TRUST DEED )	)
FUND, LLC, )	)
19 Appellees. )	)

20 The Panel filed an unpublished memorandum decision in this  
 21 appeal on August 15, 2007.

22 As of today's date, the Panel has redesignated its  
 23 memorandum decision as an Opinion, and has ordered it published.  
 24 In the process of redesignation, the Panel has made some  
 25 nonsubstantive clerical changes to the disposition. As a result  
 26 of the deletion of the first footnote regarding non-publication,  
 27 the pagination has changed. Also, the caption page has been  
 28 revised to reflect the redesignation of the decision as an

1 opinion.

2 The minor corrections made to the decision do not constitute  
3 a formal amendment of the decision and do not alter or affect the  
4 date of entry of the decision or the Judgment previously entered  
5 in this appeal. A copy of the decision with these changes is  
6 enclosed for your convenience.

7 **FOR THE PANEL,**

8  
9 *Harold Marenus*

10 Harold S. Marenus, Clerk of Court

11  
12 cc: Judges Russell, Brandt and Smith